

IN THE SENATE

SENATE JOINT RESOLUTION NO. 103

BY RESOURCES AND ENVIRONMENT COMMITTEE

A JOINT RESOLUTION

1 PROPOSING AN AMENDMENT TO ARTICLE I, OF THE CONSTITUTION OF THE STATE OF  
2 IDAHO, BY THE ADDITION OF A NEW SECTION 23, ARTICLE I, TO PROVIDE THAT  
3 HUNTING, FISHING AND TRAPPING ARE A VALUED PART OF THE HERITAGE OF THE  
4 STATE OF IDAHO AND SHALL FOREVER BE PRESERVED FOR THE PEOPLE, TO PROVIDE  
5 THAT THE EXERCISE OF THIS RIGHT BY THE PEOPLE SHALL NOT BE PROHIBITED BUT  
6 SHALL BE SUBJECT TO THE LAWS, RULES AND PROCLAMATIONS OF THE STATE AND  
7 TO PROVIDE THAT THE RIGHTS SET FORTH DO NOT CREATE A RIGHT TO TRESPASS  
8 ON PRIVATE PROPERTY, SHALL NOT AFFECT RIGHTS TO DIVERT, APPROPRIATE AND  
9 USE WATER, AND SHALL NOT LEAD TO A DIMINUTION OF OTHER PRIVATE RIGHTS;  
10 STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE  
11 LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DI-  
12 RECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS  
13 REQUIRED BY LAW.  
14

15 Be It Resolved by the Legislature of the State of Idaho:

16 SECTION 1. That Article I, of the Constitution of the State of Idaho,  
17 be, and the same is hereby amended by the addition thereto of a NEW SECTION,  
18 to be known and designated as Section 23, Article I, of the Constitution of  
19 the State of Idaho and to read as follows:

20 SECTION 23. RIGHT TO HUNT, FISH AND TRAP. Hunting, fishing  
21 and trapping are a valued part of the heritage of the State of Idaho  
22 and shall forever be preserved for the people. The exercise of this  
23 right by the people shall not be prohibited but shall be subject  
24 to the laws, rules and proclamations of the state. The rights set  
25 forth herein do not create a right to trespass on private property,  
26 shall not affect rights to divert, appropriate and use water, and  
27 shall not lead to a diminution of other private rights.

28 SECTION 2. The question to be submitted to the electors of the State of  
29 Idaho at the next general election shall be as follows:

30 "Shall Article I, of the Constitution of the State of Idaho be amended by  
31 the addition of a New Section 23, to provide that hunting, fishing and trap-  
32 ping are a valued part of the heritage of the State of Idaho and shall for-  
33 ever be preserved for the people; to provide that the exercise of this right  
34 by the people shall not be prohibited but shall be subject to the laws, rules  
35 and proclamations of the state; and to provide that the rights set forth do  
36 not create a right to trespass on private property, shall not affect rights  
37 to divert, appropriate and use water, and shall not lead to a diminution of  
38 other private rights?".

39 SECTION 3. The Legislative Council is directed to prepare the state-  
40 ments required by Section 67-453, Idaho Code, and file the same.

1           SECTION 4. The Secretary of State is hereby directed to publish this  
2 proposed constitutional amendment and arguments as required by law.